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JOINTLY ADMINISTERED
CHAPTER 11 CASE NO.
09-50026

AMENDED 7/31/2009

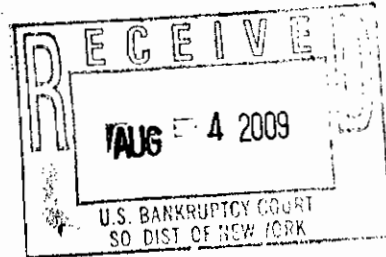
UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF NEW YORK

In re

GENERAL MOTORS CORP., ET AL.,

DEBTORS



DESIGNATION OF ITEMS TO BE INCLUDED IN THE RECORD

ITEMS ARE: EXHIBIT (S) A, B1, B2, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S,
T, U, V, W, X, Y, Z 1, Z 2, Z 3, Z 4, Z 5, Z 6, Z 7, Z 8, Z 9, Z 10, Z 11, Z 12, Z 13, Z 14,
Z 15, Z 16, Z 17, Z 1, Z 19, Z 20, Z 22

EXHIBIT A: THE CONSTITUTION
EXHIBIT B1: CHARTS WIKIPEDIA U.S. CENSUS FIGURES
EXHIBIT B2: CHARTS HOUSEHOLD DEBT
EXHIBIT C: CHART FIGURE 5 PAGE 9
EXHIBIT D: BERNANKE NO CRACKDOWN ON LENDING
EXHIBIT E: TITLE 29 SUBTITLE >A 1303
EXHIBIT F: TITLE 29 SUBTITLE >D 1367
EXHIBIT G: TITLE 29 SUBTITLE >B part 3 1083

EXHIBIT H: TITLE 29 SUBTITLE> C 1341
EXHIBIT I: TITLE 29 SUBTITLE> D 1369
EXHIBIT J: TITLE 29 SUBTITLE>D 1362
EXHIBIT K: TITLE 29 SUBTITLE D 1363
EXHIBIT L: TITLE 29 SUBTITLE>D 1364
EXHIBIT: M TITLE 29 SUBTITLE> B part 2 1054
EXHIBIT: N TITLE 12 1828
EXHIBIT: O TITLE 12 1820
EXHIBIT: P CONGRESS REPEALS GLASS-STEAGALL ACT IN 1999 pg 1 para4.
EXHIBIT: Q ANTI TRUST LAW
EXHIBIT: R TRAITIONAL COMPANY PENSIONS
EXHIBIT: S PENSION PAYMENT PROOF
EXHIBIT: T STATEMENT OFF NEW GM WEB SITE
EXHIBIT: U INSPECTOR GENERAL FIRED
EXHIBIT: V TITLE 29 SUBTITLE>D 1368
EXHIBIT: W HISTORIC ECONOMIC DOWNTURN
EXHIBIT: X YOUNGSTOWN SHEET & TUBE CO., 343 U.S. 579, 585 (1952)
EXHIBIT: Y LEOCAL V ASHCROFT 543 U.S. 1, 12 (2004)
EXHIBIT: Z 1 SALE APPROVED
EXHIBIT: Z 2 CUOMO breaks out AIG bonus list
EXHIBIT: Z 3 CHICAGO SUNTIMES pg2 para3,4
EXHIBIT: Z 4 PBGC RELEASE 202-326-4343 pbgc to assume delphi pensions
EXHIBIT: Z 5 PBGC: PENSION SAFE, UP TO CERTAIN LIMITS
EXHIBIT: Z 6 PBGC FACING PROBE pg1 para24 starting: "the pbgc is broke", pg3
EXHIBIT: Z 7 BROOKING COULD BE A 2nd BANKRUPTCYpg2 para5
EXHIBIT: Z 8 FED OF DALLAS pg3 para5 & charts
EXHIBIT: Z9 CHARTS pg1,pg2 ,pg3
EXHIBIT: 10 HEARING BEFORE THE H. COMM. ON FIN. SERVS.,
DECLARATION OF TODD A. GLUCKMAN IN SUPPORT OF
THE MOTION TO WITHDRAW THE REFERENCE
("GLUCKMAN DECL.")
EXHIBIT: Z11 WHITE HOUSE LIMITING UAW PAY 13.4 BILLION pg1 para 5
EXHIBIT: Z 12 CITY OF NEW YORK V EXXON CORP., 932 F.2d 1020, 1026 2d
CIR. 1991
EXHIBIT: Z 13 28 U.S.C. 157(d)
EXHIBIT: Z 14 12 U.S.C. 5202 (5), 5211 (a)
EXHIBIT: Z 15 12 U.S.C. 5211 (A) (1)9
EXHIBIT: Z 16 TROUBLED ASSET RELIEF PROGRAM pg 1 par 4 , pg5 para5
EXHIBIT: Z 17 WHERE BANK TARP MONEY WENT all, esp. pg4 para3, starting:
The bailout money "doesn't have its own bucket"
EXHIBIT: Z 18 ELIZABETH WARREN pg3 para3 "I don't have a badge and a gun"
EXHIBIT: Z 19 part 1 BALANCE OF TRADE, WIKIPEDIA
Part 2 TRADE DEFICITS AND FALLACY OF COMPOSITION
EXHIBIT: Z 20 MARBURY V MADISON 5 U. S. (1 CRUNCH) 137 (1803)
EXHIBIT: Z 21 TREASURY'S BAILOUT PROPOSAL
EXHIBIT: Z 22 OBAMA AUTO ADVISOR TELLS LAWMAKERS

OTHER ISSUES

A VIOLATION OF FEDERAL LAW AND NONBANKRUPTCY LAW IS BEING EXERCISED BY THE EXECUTIVE BRANCH BY ITS USE OF TARP FUNDS IN THIS SALE. CONSTITUTIONAL QUESTIONS ARE RAISED. 28U.S.C. 157(d) REQUIRE WITHDRAWAL TO THE DISTRICT COURT OF ISSUES THAT WOULD OTHERWISE REQUIRE A BANKRUPTCY JUDGE TO ENGAGE IN SIGNIFICANT INTERPRETATION, AS OPPOSED TO SIMPLE APPLICATION, OF FEDERAL LAWS APART FROM THE BANKRUPTCY STATUTES. Exhibit Z 12 CITY OF NEW YORK V. EXXON CORP., 932 F.2d 1020, 1026 2d Cir. 1991

THIS APPEAL RELATES VERY WELL TO JUSTICE JACKSON, CONCURRING IN THE JUDGEMENT AND OPINION OF THE COURT. Marbury V. Madison, 5 u. s. (1 crunch) 137 (1803);

So, if law [e.g., a statute or treaty] be in opposition to the Constitution, If both the law and the Constitution apply to a particular case, so that the Court must either decide that case conformably to the law, disregarding the Constitution, or conformably to the Constitution, disregarding the law, the Court must determine which of these conflicting rules governs the case. This is of the very essence of judicial duty. If, then, the Courts are to regard the Constitution, and the Constitution is superior to any ordinary act of the Legislature, the Constitution, and not such ordinary act, must govern the case To which they both apply.

Those, then, who controvert the principle that the Constitution is to be considered in court as a paramount law are reduced to the necessity of maintaining that the courts must close their eyes on the Constitution, and see only the law [e.g. the statute or treaty].

This doctrine would subvert the very foundation of all written Constitutions.

STATEMENT OF ISSUES

TARP WAS ENACTED BY THE HOUSE OF REPRESENTATIVES AND THEN THE PRESIDENT IN OCTOBER 2008. THIS TARP, WAS TO BE USED TO BUY TROUBLED ASSETS OF FINANCIAL INSTITUTIONS **12 U.S.C. 5211(A)(1)** WHICH DEFINES AS "ANY INSTITUTION, INCLUDING BUT NOT LIMITED TO, ANY BANK, SAVINGS ASSOCIATION, CREDIT UNION, SECURITY BROKER OR DEALER, OR INSURANCE COMPANY, ESTABLISHED AND REGULATED UNDER THE LAWS OF THE UNITED STATES OR ANY STATE, TERRITORY OR POSSESSION OF THE UNITED STATES... AND HAVING SIGNIFICANT OPERATIONS IN THE UNITED STATES BUT EXCLUDING ANY CENTRAL BANK OF, OR INSTITUTION OWNED BY A FOREIGN GOVERNMENT." **12 U.S.C. 5202(5), 5211(a).**

THIS TARP SHOWS DISTAIN FOR THE CONSTITUTION IN ITS VERY BIRTH. THE TREASURY SECRETARY, HANK PAULSON AND THE FEDERAL RESERVE BOARD CHAIRMAN BEN BERNANKE MET WITH CONGRESSIONAL LEADERS AND HANDED THEM A THREE PAGE DOCUMENT see **EXHIBIT Z 21**. PREACHING THE URGENCY OF ITS PASSING, THIS PROTOTYPE, TURNED INTO THE TARP **codified at 12 U.S.C. 5201**. THIS DOCUMENT UNDER, "Sec. 8 Review" STATES: "Decisions by the Secretary pursuant to the authority of this Act are non-reviewable and committed to agency discretion, and may not be reviewed by any court of law or any administrative agency." COULD SOMEONE WHO WROTE THIS, OR TOOK PART IN WRITING THIS DOCUMENT, HAVE ANY UNDERSTANDING OR RESPECT FOR THE U.S. CONSTITUTION, OR OUR REPUBLIC UNDER IT? THIS SAME SECRETARY PAULSON WAS THE MAN WHO DID GET THIS TARP MONEY AND HAD THE DISCRETION OF ITS USE. BY THE RESULTS OF THE USES OF THIS TAXPAYER MONEY, THE TARP, PASSED BY THE LEGISLATURE, **DOES NOT HAVE ANY REAL OVERSIGHT**. see EXHIBIT (s) Z 2, Z 3, Z 17, and Z 18.

THE FOLLOWING, ARE CONSTITUTIONAL VIOLATIONS OF THE TARP.

1). THE TARP BILL BEING PUT INTO LAW AT THE REQUEST OF THE EXECUTIVE BRANCH, GIVING THAT EXECUTIVE BRANCH SOLE POWER OVER ITS USE AND THUS THE PURSE OF THE PEOPLE'S BRANCH IN A MASSIVE AMOUNT EQUALING ALMOST 5% OF THE COUNTRY'S GROSS DOMESTIC PRODUCTION (GDP). IS UNCONSTITUTIONAL AND VIOLATES

THE SEPARATION OF POWER. see EXHIBIT (S) Z 2 3, 16, 17. ALSO EXHIBIT Z ALSO, see EXHIBIT Z16. ALSO, THE THEN PRESIDENT, GEORGE BUSH IN DECEMBER 2008, ALLOWS THE USE OF TARP MONEY FOR AUTOMAKERS. THUS OVERRIDING THE LEGISLATURE, (THIS MONEY WAS APPROVED ONLY FOR MORTGAGE ASSET PURCHASES, FOR FINANCIAL INSTITUTIONS). ALSO THE LEGISLATURE DID NOT APPROVE ITS OWN FUNDING OF 14 BILLION FOR THE AUTO MAKERS, see EXHIBIT Z 16 THUS PRESIDENT BUSH, ENCROACHED ON THE LEGISLATIVE BRANCH, BY USING AUTHORITY HE DOES NOT HAVE, TO PASS A LAW THAT USES MONEY FROM THE TREASURY. THE PRINCIPLE OF SEPARATION OF POWERS SAYS EACH BRANCH OF GOVERNMENT SHOULD BE CONFINED TO ITS OWN ROLE: THE LEGISLATURE MAKES THE LAWS; THE EXECUTIVE EXECUTES THE LAWS; AND THE JUDICIARY INTERPRETS THE LAWS. SEPARATION OF POWER IS PARTLY ABOUT CONSTRAINING GOVERNMENT. ACCUMULATION OF ALL POWERS INTO ONE BRANCH, THE FRAMERS WARNED, IS THE VERY DEFINITION OF TYRANNY. ACCORDINGLY, SEPARATING POWERS CHECKS TYRANNY. THIS TARP MUST BE FOUND UNCONSTITUTIONAL AND ALL MONEY THAT CAN BE FOUND RETURNED TO THE TREASURY.

2). NO FIRM CHECKS AND BALANCES EXIST IN THIS TARP.JUST OVERSIGHT see EXHIBIT Z 18 THE PRINCIPLE OF CHECKS AND BALANCES SAYS THE CONSTITUTION PREVENTS OVERREACHING BY ONE BRANCH THROUGH THE CHECKING OF THE OTHERS. THE USE OF THIS TARP IS CONTROLLED ONLY BY THE EXECUTIVE BRANCH, THE TARP, ONLY HAS "OVERSIGHT". AND THIS "OVERSIGHT" HAS NO EFFECT ON HOW THE MONEY IS USED. See EXHIBIT Z 17. THE ONLY CONCRETE DIFFERENCE IN OVERSIGHT FROM THE ORIGINAL PROPOSAL, EXHIBIT Z 21 IS THE ALLOWANCE OF JUDICIAL REVIEW. THAT IS FUNDAMENTAL. BUT SO ALSO, ARE CHECKS AND BALANCES, BLOCKING ABUSES, AMBITION COUNTERING AMBITION, IN JAMES MADISON'S PHRASE. THIS TARP, FROM ITS INCEPTION, TO ITS APPROVAL, WAS CLEARLY NOT DESIGNED FOR CHECKS AND BALANCES AND THUS THE MISUSE OF HUGE AMOUNTS OF TAXPAYER DOLLARS. THIS TARP MUST BE FOUND UNCONSTITUTIONAL AND ALL TRAP MONEY THAT CAN BE FOUND RETURNED TO THE TREASURY.

3). ARTICLE I, SECTION 7 . All Bills raising Revenue shall originate in the House of Representatives WHEN PRESIDENT BUSH "APPROVED" THE USE OF TARP FUNDS FOR AUTOMAKERS, HE CLEARLY VIOLATED THE CONSTITUTION, HE WAS NOW THE HOUSE OF REPRESENTATIVES PASSING A BILL. THIS IS A VIOLENT ENCROACHMENT ON THE LEGISLATURE AND IS THEREFORE, UNCONSTITUTIONAL. PLUS, FROM ITS INCEPTION, EXHIBIT Z 21 THE EXECUTIVE BRANCH, PROPOSED THIS TARP, AND TOLD CONGRESS BASICALLY, THE SKY IS FALLING, QUICKLY PASS IT, WE WILL SAVE THE

ECONOMY. THERE IS GREAT QUESTION ON WHERE THE BILL ORIGINATED GIVEN THE FACT OF ALL THE SCARE TACTICS USED IN ITS SELLING TO CONGRESS. TARP MUST BE FOUND UNCONSTITUTIONAL AND ALL MONEY THAT CAN BE FOUND, RETURNED TO THE TREASURY.

4) **ARTICLE I, SECTION 8.** To make all Laws which shall be necessary and proper for carrying into Execution the foregoing powers, and all other Powers vested by this Constitution in the Government of the United States,. THIS TARP WAS NOT NECESSARY. THE UNITED STATES, THROUGHOUT ITS HISTORY HAS GONE THROUGH MANY SEVERE DOWNTURNS. NEVER BEFORE HAS THE LEGISLATURE REWARDED, (5% OF ITS GDP) TO THE PERPETUATORS, BENEFICIARIES OF A DOWNTURN. See EXHIBIT W. THE BEST CURE FOR THESE DOWNTURNS APPEARS TO BE, TO BE LET THE LOSERS LOSE. THE SOONER, THAT IS DONE, THE SOONER THE RECOVERY. THIS TARP REWARDS THE LOSERS WITH TAX PAYER MONEY, AND IS NOT PROPER BY ANY DEFINITION. WHERE IN **SECTION 8**, DOES THE CONSTITUTION, ALLOW, OR STATE: "TO ESTABLISH A FUND TO BE USED WITH NO INTERFERENCE BY CONGRESS AND AT THE SOLE DISCRETION OF THE EXECUTIVE BRANCH IN THE BAILING OUT OF UNSCRUPULOUS, BANKERS, FINANCIAL FIRMS, INSURANCE BUSINESSES, AND MORTGAGE COMPANIES, SO THAT THEY MAY FURTHER ENRICH THEMSELVES, PAYING OUT BILLIONS OF TAXPAYER DOLLARS IN BONUS MONEY TO THEMSELVES AND THEIR EMPLOYEES, AND THIS WILL BE DONE WITHOUT REQUIRING ANSWERING TO THE CITIZENS AS TO HOW THE MONEY IS SPENT, WITH NO ACCOUNTABILITY. THIS WILL BE DONE TO SALVAGE A GLOBAL "FREE" TRADE SYSTEM THAT ENRICHES THE ONE % OF THE POPULATION WHILE EIGHTY % WILL CONTINUE TO SEE THEIR INCOMES DROP." PLEASE EXCUSE THIS EXAMPLE, BUT I DON'T KNOW OF ANY OTHER WAY TO HIGHLIGHT THE ABSURDITY OF THIS UNCONSTITUTIONAL PASSAGE OF TARP BY CONGRESS. TARP MUST BE DECLARED UNCONSTITUTIONAL, AND ALL TARP MONEY, OR WHAT TRAP MONEY THAT CAN BE FOUND MUST BE RETURNED TO THE TREASURY.

5). ARTICLE I SECTION 9 No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time EXHIBIT Z 2, Z 17 THERE IS NO ACCOUNTING OR RECEIPTS OF HOW THIS TAX PAYER MONEY IS BEING USED, OTHER THAN WHO THE TREASURY "GAVE" IT TO. THIS TARP MUST BE FOUND UNCONSTITUTIONAL, AND ALL TARP MONEY THAT CAN BE FOUND, MUST BE RETURNED TO THE TREASURY.

6). AMENDMENT V. nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation. IN

THIS SALE, THE U.S. TREASURY IS PURCHASING "NEW" GM WITH TARP MONEY. THE SALE REQUIRES "OLD" GM BE SOLD OFF. WITHOUT DUE PROCESS OF LAW. MY EARNED (30 YEARS OF SERVICE, AND MANY WAGE CONCESSIONS OVER THESE 30 YEARS WERE, GIVEN UP), ACCRUED PENSION IS IN THE COLLATERAL OF THIS SALE OF "OLD" GM. THIS WILL BY, THIS SALE, BE TORN AWAY FROM ME, WITHOUT JUST COMPENSATION. THIS IS A VIOLATION OF THE **FIFTH AMENDMENT** see **EXHIBIT(S)R, I, K, H, M, F, J, L, and Z: 4, 5, 6, 7**, ALSO I WILL IN THE FUTURE BE DENIED USE OF U.S.C. TITLE 29 SUBTITLE D 1364, 1369, 1363, 1367, 1362, SUBTITLE C 1341 AND SUBTITLE B PART 2 1054. THE COLLATERAL SUPPORTING MY PENSION WILL BE GONE, RENDERING ANY RECOVERY UNDER THESE CODES, OR OTHER U.S. LAW MOOT. THEREFORE I ASK THAT I BE PAID A LUMP SUM AS I REQUESTED IN MY ORIGINAL OBJECTION, BEFORE THIS MONEY IS GONE. IT IS UNCONSTITUTIONAL FOR THE GOVERNMENT TO TAKE MY PROPERTY, THE COLLATERAL OF MY PENSION IN THIS SALE, WITHOUT JUST COMPENSATION. ALSO THIS TARP MONEY IS MAKING THIS SALE POSSIBLE. THIS TARP MUST BE FOUND TO BE UNCONSTITUTIONAL, AND ALL TARP MONEY THAT CAN BE FOUND MUST BE RETURNED TO THE TREASURY. ALSO SEE 1), 2), 3), 4), 5), ABOVE, THESE ARE ALL INCLUSIVE OF THE USE OF THIS UNCONSTITUTION TARP FUND MONEY IN THIS SALE, AND MUST BE CONSIDERED.

ALSO A POTENTIAL CONFLICT OF INTEREST MUST BE CONSIDERED, BY THE FACT THAT SECRETARY PAULSON, A FORMER CEO OF GOLDMAN SACS, AND NEEL KASHKARI A FORMER VICE PRESIDENT OF GOLDMAN SAC'S AND NOW ADMINISTRATOR OF THE TARP FUNDS, GAVE BILLIONS OF TAXPAYER DOLLARS TO GOLDMAN SAC'S

TREASURY SECRETARY PAULSON WHO WAS IN CHARGE OF AND DECIDER OF THE USE OF TARP FUND SPOKE TO CONGRESSIONAL HOUSE FINANCIAL SERVICES COMMITTEE IN NOVEMBER 2008:

THE PURPOSE IS STABILIZING AND STRENGTHENING OUR FINANCIAL SYSTEM. AND I HAVE SAID TO YOU VERY CLEARLY THAT I BELIEVE THAT THE AUTO COMPANIES FALL OUTSIDE OF THAT PURPOSE.

OVERSIGHT OF IMPLEMENTATION OF THE EMERGENCY ECONOMIC STABILIZATION ACT OF 2008 AND OF GOVERNMENT LENDING AND INSURANCE FACILITIES; IMPACT ON ECONOMY AND CREDIT AVAILABILITY; HEARING BEFORE THE H. COMM. ON FIN. SERVS., 110th

CONG 19 (NOV. 18, 2008) EXHIBIT Z 10 THE DECLARATION OF TODD A. GLUCKMAN IN SUPPORT OF THE MOTION TO WITHDRAW THE REFERENCE (GLUCKMAN DECL.)

DECEMBER 11, 2008 THE HOUSE FAILED TO PASS LEGISLATION THAT WOULD HAVE ALLOWED THE EXECUTIVE BRANCH TO USE THESE TARP FUNDS FOR THE AUTO MANUFACTURERS.

THEN PRESIDENT BUSH, ON DECEMBER 19, 2008, see **EXHIBIT Z 16** STEPPED IN AND UNDER HIS AUTHORITY "OVERROAD" THE HOUSE OF REPRESENTATIVES DECISION SEE **(GLUCKMAN DECL)** AND ALLOWED THIS TARP MONEY TO BE USED UNLAWFULLY FOR THE AUTOMAKERS. THIS IS A VIOLATION OF SEPERATION OF POWERS. SEE **EXHIBIT A** **ARTICLE I. II, III**, OF THE U. S. CONSTITUTION CALL FOR THE POWERS OF THE FEDERAL GOVERNMENT TO BE DIVIDED AMOUNG THREE SEPARATE BRANCHES; THE LEGISLATIVE; MAKES LAWS, THE EXECUTIVE; IMPLIMENTS THE LAWS, AND JUDICIARY; INTERPRETS THE LAW AND DECIDES LEGAL CONTROVERSIES. IN THIS CASE THE EXECUTIVE BRANCH IS CLEARLY ENCROACHING ON THE LEGISLATIVE BRANCH BOTH MAKING, AND IMPLIMENTING, THE LAW. THROUGH THE ELABORATE SYSTEM OF SAFEGUARDS, THE FRAMERS OF THE CONSTITUTION, SOUGHT TO PROTECT THE NATION AGAINST TYRANNY

IN A PRESS CONFERENCE THAT DAY, (DECEMBER 12, 2008), TREASURY SPOKESWOMAN BROOKLY MCLAUGHLIN STATED: "BECAUSE CONGRESS FAILED TO ACT, WE WILL STAND READY TO PREVENT AN IMMINENT FAILURE UNTIL CONGRESS RECONVENES AND ACTS TO ADDRESS THE LONG -TERM VIABILITY OF THE INDUSTRY."

CONGRESS ALREADY ACTED. THEY REJECTED THE IDEA OF TARP BEING USED FOR AUTOMAKERS. THEY RECONVIENED, AND STILL HAVE NOT/ DID NOT, PASS LEGISLATION, APPROVING, OF TARP FOR USE BY AUTOMAKERS. THIS USE OF TARP IS UNCONSTITUTIONAL, AND DICTORIALY BEING IMPLIMENTED BY JUST ONE BRANCH OF GOVERNMENT THE EXECUTIVE BRANCH. THE SEPERATION OF POWER IS NOT FUNCTIONING HERE. **ARTICLE I**, **ALL LEGISLATIVE POWERS HEREIN GRANTED SHALL BE VESTED IN CONGRESS OF THE UNITED STATES, WHICH SHALL CONSIST OF A SENATE AND HOUSE OF REPRESENTATIVES.** TARP AUTHORITY GRANTED BY CONGRESS IN OCTOBER 2008 THE EESA WAS ENACTED ONLY AUTHORIZES "TROUBLES ASSETS", AS DEFINED ABOVE. THIS DOES NOT INCLUDE AUTOMAKERS. **(GLUCKMAN DECL)**

TREASURY SECRETARY PAULSON ON DECEMBER 19, 2008 REVERSES HIS ABOVE STATED, VERY FIRM STATEMENT, TO THE OPPOSITE DETERMINATION (**“GLUCKMAN DECL.”**). HE NOW SAYS THEY: “ARE “FINANCIAL INSTITUTIONS” FOR PURPOSES OF SECTION 3(5) OF THE ACT AS THEY ARE “INSTITUTION(S)” ESTABLISHED AND REGULATED UNDER THE LAWS OF THE UNITED STATES AND HAVE SIGN IFICANT OPERATIONS IN THE UNITED STATES.” THIS STATEMENT COULD BE USED TO OK TARP FOR USE IN WALMART, OR MCDONALD’S. THIS SALE USING THIS TARP MONEY PUTS OUR REPUBLIC IN GRAVE DANGER IF IT IS LET TO STAND.

THE TREASURY NEEDED A METHOD OF PROVIDING FINANCING TO THE AUTO MAKERS WITH TARP FUNDS. ON DECEMBER 31, 2008 THE TREASURY ISSUED GUIDELINES FOR AN “AUTOMOTIVE INDUSTRY FINANCING PROGRAM” (“AIFP”) IN ACCORDANCE WITH THE CONSIDERATIONS OF EESA. (**GLUCKMAN DECL**)

NEW TREASURY SECRETARY TIMOTHY F. GEITHNER ON APRIL 29, 2009 AVOIDING THE WORD “FINANCIAL”, ISSUED ANOTHER DETERMINATION THAT AUTOMOTIVE COMPANIES ARE “INSTITUTIONS” UNDER TARP AND THAT THEREFORE THEIR “TROUBLED ASSETS” WERE ELIGIBLE TO BE PURCHASED UNDER TARP. (**GLUCKMAN DECL**). IT FOLLOWS, AGAIN, THAT HE COULD SO DETERMINE WALMART, OR MCDONALD’S “INSTITUTIONS”, OR, ANY OTHER PRIVATE AMERICAN BUSINESS. THIS IS UNCONSTITUTIONAL, UNAMERICAN.

IN THE STEEL STRIKE DURING THE KOREAN WAR THE PRESIDENT OF THE UNITED STATES WAS FOUND TO HAVE OVERSTEPPED HIS CONSTITUTIONAL AUTHORITY. THE EXECUTIVE BRANCH DERIVES ITS AUTHORITY ONLY FROM AN ACT OF CONGRESS, OR THE CONSTITUTION ITSELF. **YOUNGSTOWN SHEET & TUBE CO. 343 U.S. 579, 585 (1952)**. JUSTICE JACKSON IN THIS CASE USED LANGUAGE THAT IS EQUALLY APPLICABLE HERE:

With all its defects, delays and inconveniences, men have
Discovered no technique for long preserving free government
Except that the Executive be under the law, and that the law,
Be made by parliamentary deliberations.

Such institutions may be destined to pass away. But it is the duty of the Court to be the last, not the first to give them up....

WE ARE TODAY IN THIS UNITED STATES AT THE CROSS ROAD OF A TYRANNY OF ECOMOMICS BENIFITING THE FEW, OR FREEDOM AS OUR REPUBLIC PROMISES, THIS TARP IS NOT OF THE CONSTITUTION AND MUST BE MADE UNLAWFUL.

THESE TARP FUNDS IN THERE CONCEPTION WERE FATHERED BY FEAR AND SPECIAL INTERESTS. THE EXECUTIVE BRANCH ARROGANTLY PUSHED THEM THROUGH, AND WHEN THE AUTHORITY FROM THE LEGISLATURE WAS NO LONGER THERE, THEY JUST LEGISLATED IT, THROUGH THERE OWN UNBALANCED DETERMINATION, AND MEDIA MANIPULATION. THIS IS A MASSIVE AMOUNT OF TAXPAYER DOLLARS. THE TREASURY DEPARTMENT NOW IGNORES THE STATUTORY LANGUAGE, INTENT, PURPOSE AND ITS OWN PRIOR STATEMENTS. (GLUCKMAN DECL) THE HOUSE OF REPRESENTATIVES REJECTED AUTO BAILOUT BILL, BUT IT STILL BREATHS, ON THE ABSURD POSITION THAT TARP FUNDS CAN BE USED TO PURCHASE ASSETS OF ANY INSTITUTION THAT IS ESTABLISHED AND REGULATED UNDER THE LAWS OF THE UNITED STATES AND HAVE SIGNIFICANT OPERATIONS IN THE UNITED STATES. LEOCAL V. ASHCROFT, 543 U.S. 1, 12 (2004) (“WE MUST GIVE EFFECT TO EVERY WORD OF A STATUTE WHEREEVER POSSIBLE”). THE EXECUTIVE BRANCH IS LEGISLATING ON THERE OWN ON THE FLY, IMPROPERLY READING OUT THE DEFINITION OF “FINANCIAL INSTITUTION” THE WORD “FINANCIAL” THUS EVISERATING THE CLEAR CONSTITUTIONAL INTENT IN 12 U.S.C. 5202(5).

THE SALE OF “OLD” GM WAS APPROVED BY THE HONORABLE ROBERT E GERBER, WITH THE RESULTS OF OWNERSHIP BEING THE U.S. TREASURY 60.8%, UAW 17.5%, CANADA AND ONTARIO GOVERNMENTS 11.7%, AND “OLD” GM 10%. THIS SALE, BEING POSSIBLE ONLY THRU THESE TARP FUNDS, WHICH SHOULD NOT, BE BREATHING. THE PURCHASER IS NOT OF GOOD FAITH AS EVIDENCED BY THE USE OF THIS UNCONSTITUTIONAL TARP, FACILITATING THE SALE. (GLUCKMAN) ALL USE OF THIS TARP MONEY, ARE UNCONSTITUTIONAL, AND SHOULD BE WITHDRAWN see EXHIBIT Z 17, Z18. ASSOCIATED PRESS CONTACTED 21 BANKS THAT RECEIVED AT LEAST 1 BILLION IN GOVERNMENT MONEY ACCORDING TO

THE AP, NONE OF THE BANKS GAVE SPECIFIC ANSWERS, AND HERE IS A SHORT LIST OF ONLY THREE RESPONSES: 1. "WE HAVE NOT DISCLOSED TO THE PUBLIC. WE'RE DECLINING TO." 2. "WE'RE NOT PROVIDING DOLLAR-IN, DOLLAR-OUT TRACKING." 3 "DOESN'T HAVE ITS OWN BUCKET." THIS IS ASTONISHING. **ARTICLE I SECTION 9**, REQUIRES A REGULAR STATEMENT AND ACCOUNT OF RECEIPTS AND EXPEDITURES. THIS CLEARLY IS NOT HAPPENING. THIS TARP FUND MONEY MUST ALL IN TOTAL, BE BROUGHT BACK TO THE TREASURY. THE TREASURY OFFICIALS PAST, AND PRESENT, RUNNING IT: PAULSON, SUMMERS, AND GEITHNER ALL HAVE WORKED FOR OR WITH MOST OF THE BANKS AND FINANCIAL COMPANIES THAT ARE RECEIVING THE MONEY, ITS PUBLIC RECORD. THIS IS WORSE THAN THE FOX IN THE PROVERBIAL HEN HOUSE. THIS IS 700 + BILLION DOLLARS OUT OF THE U.S. TREASURY. IF THIS WERE FOEIGNERS, USING 700+ BILLION DOLLARS OF TREASURY MONEY IN SUCH AN UNACCOUNTABLE AND WRECKLESS MANNER IT WOULD BE CONSIDERED AN ACT OF WAR. THE COURT IS THE THIRD BRANCH OF LIBERTY AND BY OATH TO THE CONSTITUTION BEING BOUND BY IT IS DUTIFULLY CALLED TO ACT IN ITS SALVATION.

PRESIDENT OBAMA IS A BIG SUPPORTER OF GLOBAL "FREE" TRADE, WHICH HAS, AND IS, DRIVING THE STANDARD OF LIVING DOWN, FOR 80% OF AMERICAN CITIZENS. See chart **EXHIBIT C, PAGE 3**. THE OTHER 1% IS DOING VERY WELL. THIS GLOBAL "FREE" TRADE DOES NOT PROMOTE THE GENERAL WELFARE FOR THE PEOPLE. THE FIRST THREE WORDS, OF THE PREAMBLE, OF THE CONSTITUTION ARE: WE THE PEOPLE. IT IS NOT, "US THE PEOPLE", THE 1%. GLOBAL "FREE" TRADE, ITS FINANCIAL BASE, IT'S PROMOTION, AND SALVATION, MUST NOT TAKE A PRIORITY OVER, MAINTAINING THE INTEGRITY OF OUR CONSTITUTION. NEVER IN HISTORY OF THE UNITED STATES HAVE UNCONSTITUTIONAL MEASURES LIKE WHAT CONGRESS, FEDERAL RESERVE BOARD AND THE EXECUTIVE BRANCH ARE PARTAKING IN, BEEN EXECUTED. SEE **EXHIBIT W**.

THE TARP FUNDS **codified at 12 U.S.C. 5201**, ARE THE FUNDS THE EXECUTIVE BRANCH USES IN THIS SALE. THESE TARP FUNDS WERE APPROVED BY THE HOUSE OF REPRESENTATIVES THESE FUNDS ARE MASSIVE AND EQUAL 5% OF THE U. S. GDP. THESE FUNDS ARE A BLANK CHECK, ALLOWING THE SECRETARY OF THE TREASURY TO PURCHASE TROUBLED FINANCIAL ASSETS AS PART OF THE EXECUTIVE BRANCH, WHERE BASICALLY NO ONE CAN BE PROSECUTED, FOR ANY MISUSE OF TARP FUNDS THEREOF. see **EXHIBIT Z 12** THE USE OF THIS TARP FUND MONEY GOES ON UNCHECKED WITH NO ACCOUNTABILITY **ARTICLE I SECTION 9** STATES "NO MONEY SHALL BE DRAWN FROM THE TREASURY, BUT IN CONSEQUENCE OF APPROPRIATIONS MADE BY LAW; AND A REGULAR STATEMENT AND ACCOUNT OF THE RECEIPTS AND

EXPENDITURES OF ALL PUBLIC MONEY SHALL BE PUBLISHED FROM TIME TO TIME.” See EXHIBIT Z 17. THIS HAS NOT BEEN DONE. THIS TARP FUND MONEY MUST BE RECALLED AND RETURNED TO THE TREASURY. ELIZABETH WARREN, APPOINTED CHAIR OF NEWLY OVERSIGHT PANEL ON TARP SAYS: “I DON’T HAVE A BADGE OR A GUN.” see EXHIBIT 18 pg3 para3 “THERE IS NO AUTHORITY TO STOP THE EXECUTIVE BRANCH FROM RESHAPING THE AMERICAN ECONOMY, THERE IS NO ONE IN THE ROOM BUT INSIDERS”. THIS IS AN OBSCENE VIOLATION OF THE CONSTITUTION. THE PRESIDENT AS THE HEAD OF THE EXECUTIVE BRANCH, HAS BY HIS POSITION, SOLE AUTHORITY, IS DICTATOR, OF SAID FUNDS, OUR CONSTITUTION DOES NOT USE TRUST, OR ALLOW DICTATORS, BUT INSTEAD, ACCOUNTABILITY OF THIS PUBLIC MONEY, AND CHECKS AND BALANCES, THE CONSTITUTION DEMANDS IT. ARTICLE II SECTION 1, 2, 3, 4 DOES NOT ALLOW THIS, INTRUSION INTO THE PRIVATE MARKET, WITH THE USE OF TAX PAYER MONEY, UNCHECKED. THE PRESIDENT CAN AUTHORIZE, AND/OR ON A WHIM BUY WHATEVER PRIVATE ENTITY HE SO DETERMINES, A TROUBLED ASSET. THERE ARE NO CHECKS AND BALANCES, JUST TRUST. EXHIBIT Z17 all AP banker interviews. ALSO THE EXECUTIVE BRANCH CANNOT ENCROACH ON THE LEGISLATIVE BRANCH. THE HOUSE OF REPRESENTATIVES SAID NO, TO THIS BAILOUT FOR AUTO. THEY MAKE THE LAW. HIS USE OF EXECUTIVE AUTHORITY IN THIS TARP MONEY IS A VIOLATION OF THE CONSTITUTION, SETTING A PRECEDENT THAT CAN NOT STAND.

THIS IS ALL IN THE NAME OF SALVAGING THE PRESENT GLOBAL “FREE” TRADE SYSTEM. THIS IS THE SAME SYSTEM THAT, ENRICHES A FEW, THE 1%, WHILE THE 80% LOSE .see EXHIBIT C, B1, B2. AND THE COSTS IS: OUR CONSTITUTION, OUR FREEDOM, AND OUR FORM OF GOVERNMENT. THIS ASSET SALE MADE POSSIBLE BY UTILIZATION OF THESE TARP FUNDS CAUSE ME INJURY, AND MUST NOT BE ALLOWED, THE FUNDS ARE UNCONSTITUTIONAL, AND THEREBY CAN NOT BE USED IN THIS SALE.

CAN ANY REASONABLE PERSON PROCLAIM THE “NEW”GM WILL SURVIVE FOR 1 YEAR 2 YEARS LET ALONE 20 OR 40 YEARS AND SUSTAIN ITS PENSION OBLIGATION TO ME IN THE PRESENT FORM. EXHIBIT Z 7 pg 2 para5 FEW, IF ANY, FRUIT STAND ENTREPRENEURS WOULD ACCEPT ITS STOCK, (IF IT WERE NOW AVAILABLE), IN TRADE. see EXHIBIT Z4, THE PENSION BENEFIT GUARANTY CORPORATION, PBGC, WHICH IS UNDER THE EXECUTIVE BRANCH, RELEASED PUBIC AFFAIRS DOCUMENT 202-326-4343, ON 7/22/2009 STATING, THEY WILL ASSUME RESPONSIBILITY FOR PENSION PLANS OF 70,000 WORKERS AND RETIREES OF DELPHI CORP, WHICH ARE

PART OF THIS SALE. see **EXHIBIT Z5**. THIS PBGC DOCUMENT ANSWERS THE QUESTION (LINE 6, 7)"WILL MY PENSION BE SAFE?" THE PBGC ANSWER "YES, UP TO CERTAIN LIMITS." THE PBGC MAY ITSELF BE IN FINANCIAL STRAITS. see **EXHIBIT Z6 pg. 1, 2**. THE INJURY FOR ME IS, THE FORCE OF LAW TAKING AWAY AND SELLING OFF THE COLLATERAL OF MY EARNED, ACCRUED PENSION (30 YEARS OF SERVICE), IN THIS SALE OF THESE ASSETS. THUS, LEAVING ME, BLOWING IN THE WIND, WITH NO LEGAL RECOURSE, IN THE LIKELY EVENT THE "NEW" GM FAILS. WITHOUT CURE FOR ME .see **EXHIBIT Z5, Z4**. THIS VIOLATES THE **FIFTH AMENDMENT** SEE 6) ABOVE.

CHECKS AND BALANCES, **ARTICLE III SECTION 2** OF THE CONSTITUTION STATES: "THE JUDICIAL POWER SHALL EXTEND TO ALL CASES, IN LAW AND EQUITY, ARISING UNDER THE CONSTITUTION". THIS IS HOW WONDERFUL, OUR CONSTITUTION IS, PROVIDING FOR, ALWAYS REQUIRING, THE CHECKS AND BALANCES THAT SUSTAIN OUR REPUBLIC. **ARTICLE VI**, REQUIRES THE JUDGES, AND ALL JUDICIAL OFFICERS IN EVERY STATE BE BOUND BY THE CONSTITUTION. THE JUDICIAL BRANCH, LEGISLATIVE BRANCH, AND EXECUTIVE BRANCHES OF GOVERNMENT BALANCING EACH OTHER, FORM THE TREE OF OUR LIBERTY IN THE UNITED STATES OF AMERICA. THIS TARP MONEY AND THE USE THEREOF, IS THROWING THE CONSTITUTION INTO A TAILSPIN.

THE HOUSE OF REPRESENTATIVES VOTED IN THE TARP PROGRAM WITH NO ACCOUNTABILITY FOR THE FUNDS see **EXHIBIT Z 17 pg4 starting: the bailout money "doesn't have its own bucket"**. NINETY %, OF THE MILLIONS OF AMERICANS THAT CALLED, EMAILED, OR WROTE TO THERE CONGRESSMAN AND SENATORS, OBJECTED TO PASSAGE OF THIS TARP BILL. THESE AMERICANS REALIZE THAT THESE "FREE" TRADE POLICIES, see, **EXHIBIT C**. ARE DESTROYING THE U.S. MANUFACTURING JOBS, AND THUS, THEIR,"THE PEOPLES", STANDARD OF LIVING. THIS ACTION TAKEN BY THE HOUSE OF REPRESENTATIVES RUNS AGAINST THE PREAMBLE OF OUR CONSTITUTION, OF PROMOTING GENERAL WELFARE. THIS DOESN'T MEAN PROMOTING THE GENERAL WELFARE FOR FOREIGN COUNTRIES OVER THAT OF U.S. CITIZENS, THAT WOULD BE TRAITOROUS, OR IT DOESN'T MEAN PROMOTING THE WELFARE OF 1% OF THE POPULATION OVER THE LOWER 80% OF THE POPULATION. GENERAL WELFARE IS AN EVEN HANDED DISTRIBUTION OF WELFARE TO ALL CITIZENS OF THE REPUBLIC. see **EXHIBIT C pg9 figr5 chart**. **ARTICLE I SECTION 8** STIPULATES THE POWER OF CONGRESS, THE CONSTITUTION CLEARLY DOES NOT GIVE CONGRESS THE AUTHORITY TO MAKE FOR SUCH LEGISLATION AS TARP, THAT ABDICATES THE CHECKS AND BALANCES THE CONSTITUTION DEMANDS, HAS NO ACCOUNTABILITY see **EXHIBIT Z17, Z18** THUS, VIOLATING THERE DUTY AND RESPONSIBILITY, UNDER THE

CONSTITUTION. THIS TARP MONEY AGAIN, SHOULD BE RECALLED TO THE TREASURY OF THE UNITED STATES OF AMERICA.

THE LAST PARAGRAPH OF ARTICLE I SECTION 8 STATES: "TO MAKE ALL LAWS WHICH SHALL BE NECESSARY AND PROPER FOR THE CARRYING INTO EXECUTION THE FORGOING POWERS, AND ALL OTHER POWERS VESTED IN THE CONSTITUTION, IN THE GOVERNMENT, OF THE UNITED STATES, OR IN ANY DEPARTMENT OR OFFICER THEREOF". THIS CERTAINLY DOES NOT MEAN PROVIDING A BLANK CHECK, OF SUCH GREAT MAGNITUDE, TO THE EXECUTIVE BRANCH AND MAKING NO ONE ACCOUNTABLE FOR ITS USE. see ARTICLE Z 17 AND MISUSE OF THESE FUNDS, WHILE VIOLATING THE DELICATE CHECKS AND BALANCES THAT THE CONSTITUTION REQUIRES. THE USE OF THESE TARP PROGRAM FUNDS IN THIS SALE OF ASSETS, OR THE 363 TRANSACTION, STRIKES A SEVERE, FATAL, BLOW TO OUR CONSTITUTION, AND IS NOT LEGAL. THE TARP FUND MONEY MUST BE RECALLED AND RETURNED TO THE TREASURY.

NOW IF THIS SALE WERE TO GO FORWARD, COULD I BE LEFT IN CONFIDENCE THAT ERISA ALSO CONTROLLED BY THE PRESIDENT, WILL PROTECT MY PENSION IN CASE OR NEED OF UTILIZATION OR OCCURANCES INVOLVING ANY /ALL OF THE FOLLOWING U.S. CODE(S): EXHIBITS E,F,G, H, I, J, K, LM,V SEE, TITLE 29 SUBTITLE C 1341,TERMINATION OF SINGLE-EMPLOYER PLANS, TITLE 29 SUBTITLE D 1362-LIABILITY FOR TERMINATION OF SINGLE-EMPLOYER PLANS UNDER A DISTRESS TERMINATION OR A TERMINATION BY CORPORATION, SUBTITLE 29 SUBTITLE D 1367 RECOVERY OF LIABILITY FOR PLAN TERMINATION, TITLE 29 SUBTITLE B part 3 1083 MINIMUM FUNDING STANDARDS FOR SINGLE-EMPLOYER DEFINED PENSION PLANS, TITLE 29 SUBTITLE A 1303 OPERATION OF A CORPORATION, TITLE 29 TITLE 29 SUBTITLE D 1369, TITLE 29 SUBTITLE D 1362, TITLE 29 SUBTITLE D 1363, TITLE 29 SUBTITLE D 1364, ANY OTHER PERTINENT US CODES IN TITLE 29 SUBTITLE A,B,C, OR D. EMPHATICALLY NO, WITH THE PRESIDENT BEING THE HEAD OF THE EXECUTIVE BRANCH OF GOVERNMENT IS IN CHARGE OF BOTH: THE OWNER, AND THE POLICEMAN, OF MY ACCRUED PENSION. THAT IS A DIRECT CONFLICT OF INTEREST. THE PRESIDENT, CAN FIRE, OR REPLACE ANYONE WHO DOES NOT DO WHAT HE ASKS. see EXHIBIT U. THESE TITLE 29 CODES. AFTER A SALE OF THESE ASSETS, BECOME TANGLED IN A DICTORIAL CONFLICT OF INTEREST, WHERE I WILL HAVE NO FAIR LEGAL RECOURSE.

I WAS LAID OFF FROM THE "OLD" GENERAL MOTORS DURING THE GAS CRISIS IN 1973. MANY OF US (THE WORKERS) WONDERED WHY GM WAS

NOT GOING AFTER A LARGER PERCENT OF THE FUEL EFFICIENCY CAR MARKET. GM WAS BASICALLY GIVING THAT SHARE OF THE MARKET TO FOREIGN AUTO MAKERS, THIS WAS AND IS PROVING TO BE A FATAL MISTAKE, NOT JUST FOR GM, BUT FOR THE U.S. MANUFACTURING BASE AS A WHOLE, AND THE STANDARD OF LIVING IT PROVIDES AMERICANS. AFTER THE SALE OF "OLD" GM WAS APPROVED BY THE HONORABLE ROBERT E GERBER, see EXHIBIT Z 1 THE CEO/PRESIDENT OF THE "NEW" GM FRITZ HENDERSON WAS ON ALL THE MAJOR NETWORKS. see EXHIBIT T. HE SAID: "DESPITE THE RECENT DOWNTURN, GM HAS MAINTAINED ITS CADENCE OF STRONG NEW PRODUCTS, IN THE U.S., FOR EXAMPLE, CHEVY CAMARO HAS SURGED PAST ITS RIVALS TO LEAD ITS SEGMENT,"

THIS IS NOT A GAS EFFICIENT CAR, AND IS IN A MARKET SHARE THAT IS RAPIDLY ON ITS WAY TO DISTINCTION. THE OTHER VEHICLES HE MENTIONED ON THIS LIST WERE ALL (EXCEPT FOR THE \$40,000 OVER PRICED VOLT) GAS INEFFICIENT, AND DINOSAUR REMNENTS OF THE "OLD" AUTO MARKET. HE DOES NOT GET IT. SINCE 1973 TO THE PRESENT, "OLD" GM HAS LOST MASSIVE MARKET SHARE. WHO CAN HAVE ANY ASSURANCE THAT "NEW" GM WILL NOT CONTINUE DOWN THIS SAME PATH. see EXHIBIT Z7

THE U. S. IS A REPRESENTATIVE GOVERNMENT. UNFORTUNATLY, THE 1% OF CITIZENS, WHOSE INCOMES ROSE RAPIDLY THE LAST 20 YEARS ARE MONOPOLIZING THIS REPRESENTATION. PRESIDENT CLINTON PUSHED THRU CONGRESS NAFTA, AND GATT WITH 75% OF AMERICAN CITIZENS AGAINST IT. HE ALSO MANAGED TO PUSH THROUGH CONGRESS A DECISION TO REPEAL THE GLASS-STEAGALL ACT OF 1933. see EXHIBIT P. PRESIDENT BUSH ALSO A BIG PROPONENT OF THIS "FREE TRADE" POLICY, PASSED MORE FREE TRADE AGREEMENTS AND PUSHED THRU TARP. PRESIDENT BUSH'S TREASURY SECRETARY HANK PAULSON DECLARED MANY BANKS, MORTGAGE INSTITUTIONS AND FINANCIAL GROUPS WERE: "TO BIG TO FAIL", ANY REASONABLE PERSON WOULD DEDUCT, THESE ARE BUSINESSES THEN THAT ARE TO BIG, LET THEM FAIL.

THE PRESIDENTS, AND CONGRESS HAVE/HAD, THE LEGAL AUTHORITY, see EXHIBIT Q THE ANTI TRUST LAWS AND MUCH MORE U.S. CODE AT THEIR DISPOSAL. SEE EXHIBIT O TITLE 12 1820 ADMINISTRATION OF CORPORATION, see EXHIBIT N TITLE 12 1828 REGULATIONS GOVERNING INSURED DEPOSITORY INSTITUTIONS), AND KNOWLEDGE see EXHIBIT Z8 fueling consumption pg5. YET, THE EXECUTIVE BRANCH WAITED UNTIL AFTER THE HOUSING BUBBLE BURST. THEY DID NOTHING TO PREVENT OR STOP THIS ECONOMIC CATSTROPHY.

THE LAISSEZ FAIRE ATTITUDE TOWARD THE BANKS, MORTGAGE INSTITUTIONS, AND FINANCIAL INSTITUTIONS BY THE U. S. GOVERNMENT, PLUS, ITS ATTITUDE ON GLOBAL "FREE" TRADE, TAKING PRIORITY OVER OUR CONSTITUTION, LEADING AWAY FROM A MANUFACTURING BASED ECONOMY THAT PROVIDEDS A GOOD STANDARD OF LIVING FOR MOST AMERICANS TO A SERVICE, CONSUMERISM, DRIVEN ECONOMY THAT PROVIDEDS LOWER WAGES TO 80% OF AMERICANS. CONSUMERISM BECAME 70% OF THE U. S. GDP. THIS IS THE FUEL FOR GLOBAL "FREE" TRADE. see EXHIBIT Z9. WITH GOOD PAYING MANUFACTURING JOBS GOING OVERSEAS (TAX LAWS ENCOURAGED THIS) AMERICAN CONSUMERS WERE ALMOST OUT OF PURCHASING POWER THE SAVINGS RATE WAS NEAR 0%. See EXHIBIT Z 8 THE U. S. GOVERNMENT AND THE FEDERAL RESERVE WITH A HANDS OFF POLICY, ON REGULATION, ALLOWED BANKS, INSURANCE COMPANIES, FINANCIAL INSTITUTIONS, MORTGAGE INSTITUTIONS, FUND MANAGERS AND OTHERS FREE REIGN IN THE HOUSING MARKETS AND ALL ITS FINANCIAL, UNREGULATED, MANIPULATIONS. THIS TRICKLED DOWN TO THE CONSUMER THRU REFINANCING AND SPECULATION PUTTING MONEY IN HOME "OWNERS" POCKETS THRU, THEIR OWN SPECULATION, AND REFINANCING, CAUSING THEM "DEBT". see EXHIBIT Z9. THIS CAUSED A HUGE HOUSING BUBBLE. THESE, BANKS, INSURANCE COMPANIES, MORTGAGE COMPANIES, AND MOST OTHERS ON WALL STREET MADE MASSIVE WINDFALL PROFITS, BONUSES AND EARNINGS. EVEN THE FEDERAL, STATE, AND LOCAL GOVERNMENTS WERE REWARDED BY TAXING THIS INCOME. THIS MANUFACTURED BUBBLE CREATED MORE CONSUMERS BUYING, AND THUS MORE FUEL, FOR GLOBAL "FREE" TRADE.

THE BUBBLE BURST, UNCOVERING MASSIVE FRAUD, BUT IT IS NOT SURPRISING THAT ALMOST NO ONE IS BEING PROSECUTED. THE LAWS ARE IN THE BOOKS. AT THIS POINT, THE GOVERNMENT AUTHORIZED THEN POURED, THIS UNCONSTITUTIONAL TARP MONEY WITH NO ACCOUNTABILITY, INTO THESE VERY SAME BUSINESSES TO "SAVE MAIN STREET." BUT, MORE ACCURATELY, AND PRECISELY, TO SAVE WORLD "FREE" TRADE, AT THE CONSTITUTIONS AND AMERICAN TAXPAYERS EXPENSE. THESE GOVERNMENT OFFICIALS ARE NOW BUYING, WITH THIS TARP MONEY, "OLD" GM. THEN "NEW" GM WILL SELL OFF THE COLLATERAL THAT SUPPORTS AND GUARANTEES MY EARNED, ACCRUED PENSION. THIS IS DOUBLE JEOPARDY. see EXHIBIT Z 7 pg2 para5, pg3 IT WOULD BE A MISCARRAIGE OF JUSTICE TO ALLOW. see EXHIBIT Z 6 pg1 Para 24 starting "the pbgc is broke", pg3 I WANT A CURE, IN THE FORM OF A LUMP SUM PENSION PAYMENT.

THE SOLUTION OFFERED THE BUYER WAS THE WORST, OF ALL, OPTIONS AVAILABLE. THE U. S. PRESIDENT (WITH CONGRESSIONAL APPROVAL), INSTEAD OF USING TARP MONEY (WITHOUT CONGRESSIONAL

APPROVAL), COULD/SHOULD HAVE OFFERED A GOVERNMENT CONTRACT, TO FORWARD PURCHASE 2,000,000 ELECTRIC VEHICLES WITH THE GREEN REQUIRMENTS IT MAY REQUIRE, FOR EXAMPLE 75 TO 150 MILES PER PLUG IN. THIS WOULD BE SIMILAR TO A DEFENSE CONTRACT (PASSED BY CONGRESS WITH OVERSIGHT AND CHECKS AND BALANCES) TO BE FILLED IN X# YEAR(S). THE US GOVERNMENT WOULD PRE PAY FOR SOME OF THE COST ALLOWING THE "OLD" GM, IMMEDIATE CASH TO SUSTAIN THEM THRU THIS DOWNTURN THESE VEHICLES WOULD BE SUPPLYING THE POST OFFICE, AND ALL OTHER NON SECURITY RELATED AGENCIES. IF THIS WERE DONE, ALMOST EVERYONE WOULD WIN, THE TAX PAYER, MANUFACTURING WORKERS, "OLD" GM. THE ONLY LOSER WOULD HAVE BEEN "FREE" TRADE AND THE FREE TRADERS (1%). LET THE GOVERNMENT, LEAD, BY EXAMPLE IN THERE DESIRE FOR A GREENER AMERICA. THIS ELECTRIC CAR WOULD QUICKLY TRICKLE DOWN AND BE UTILIZED, BY STATE AND LOCAL GOVERMENTS. THERE ARE AND WERE OTHER SOLUTIONS AVAILABLE, THE QUESTION BECOMES WAS THERE A MOTIVE TO ONLY OFFER THIS, AS THE ONLY SOLUTION

THE EXECUTIVE BRANCH USED THIS BANKRUPTCY TO REDUCE OR DELUTE THE WAGES, AND LIABILITES ACCRUED BY MANY UNION MEMBERS, see **EXHIBIT Z 11**. THIS WAS/IS UNFAIR TO AMERICAN MANUFACTURING WORKERS. BY LIMITING THE BENEFITS, THE UNIONS IN THE FUTURE, WILL NOT HAVE THE OPTION OF FAIRLY REPRESENTING THEIR MEMBERS. THESE WORKERS ARE NOT LIKE CONGRESSMAN OR SENATORS, WHO CAN AND DO RAISE THEIR OWN BENEFITS AND PAY. THERE WILL BE NO REASON FOR WORKERS TO BE IN, OR JOIN A UNION. THIS IS THE FUTURE FOR FAIR REPRESENTATION OF AMERICAN WORKERS THIS SALE LEGITIMIZES. THE ONLY SOLUTION THE GOVERNMENT OFFERED WAS THIS UNCONSTITUTIONAL TARP MONEY PURCHASE, THAT WOULD UNDERMINE FAIR UNION REPRESENTATION, NOT AS WAS STATED PREVIOUSLY, ONE THAT WOULD INCREASE THE CHANCES OF SURVIVABLY, FOR "OLD" GM, AND THUS THE U.S. TAXPAYER WHO WOULD ACTUALLY GET SOMETHING FOR THERE MONEY, WHILE MAINTAINING FAIR UNION REPRESENTATION. THE GOVERNMENT SHOULD NOT BE IN THE BUSINESS OF UNDERMINING AMERICAN MANUFACTURING WORKERS, AND ABUSING THE U. S. CONSTITUTION IN SO DOING. see **EXHIBIT Z7** THIS IS EVIDENCED IN PART BY THE 6 YEAR NO STRIKE CLAUSE THE UNION WAS FORCED TO AGREE TO IN THE NEGOTIATIONS WITH THE BUYER. THIS IS THE FIRST BLOW TO FAIR REPRESENTATION, AND THE DESTRUCTION OF UNION(S). THE GOVERNMENT IS A PURCHASER WITH INTERESTS THAT ATTACK RETIREES BENEFITS, BEFORE THEY EVEN GOT THERE FOOT IN THE DOOR. see **EXHIBIT U** THEY RENEGOTIATED BENEFITS DOWNWARD, BUT THE BONUSES ON WALL STREET STILL FLOW.

I EMPAHATICALLY BELIEVE THIS SALE TO THE "OLD" GM, PUTS MY EARNED PENSION AS IT NOW STANDS IN SEVERE JEOPARDY see EXHIBITS Z5, Z6, Z7 THE TREASURY DEPARTMENT IS DEMANDING THAT THE COLLATERAL OF MY PENSION BE STRIPPED AWAY. THIS IS A VIOLATION OF THE FIFTH AMENDMENT "NOR SHALL PRIVATE PROPERTY BE TAKEN FOR PUBLIC USE, WITHOUT JUST COMPENSATION" AMENDMENT V. IN THE FUTURE, THE COLLATERAL BEHIND MY EARNED ACCRUED PENSION WILL BE GONE. IT IS ALSO ILLEGITIMATE TO USE THESE UNCONSTITUTIONAL TARP FUNDS THAT, HAVE NOT BEEN APPROVED BY CONGRESS (THE EXECUTIVE BRANCH USING ITS POWER TO ATTEMPT TO ELIMINATE THE WORD "FINANCIAL" FROM LAW PASSED BY CONGRESS) (GLUCKMAN DECL) HAVE NO CHECKS AND BALANCES, THUS ARE DICTORIAL, USING ONLY TRUST see EXHIBIT Z 7, IN THIS PURCHASE OF A PRIVATE CORPORATION. THE U. S. GOVERNMENT IS ENGAGING IN UNCONSTITUTIONAL AND UNFAIR PRACTICES VIOLATING THE SEPERATION OF POWERS, ARTICLES I, II ALSO ARTICLE I, SECTION 8, 9.

THE EXECUTIVE BRANCH IS SUPPORTING THE SALVATION OF GLOBAL TRADE OVER THE U. S. CONSTITUTION. NOTE, COMPARISONS OF PAST TARP USES. AIG A GLOBAL FREE TRADE PLAYER, GOT AND STILL GET THERE BONUSES (THE U. S. NEGOTIATORS SAID IT WAS IN THEIR CONTRACT). see EXHIBIT Z3. VERSUS "OLD" GM, (IT WAS IN THEIR CONTRACT ALSO), THEY WERE FORCED TO REDUCE THEIR BENEFITS AND HAD TO AGREE TO A 6 YEAR NO STIKE CLAUSE, PLUS 70,000 DELPHI WORKERS/RETIREEES, LOST THEIR PENSION TO PBGC see EXHIBIT Z2, Z 3, Z5. JUST 73 OF THE LARGEST AIG "RETENTION" BONUSES WOULD HAVE PAID FOR THOUSANDS OF MANUFACTURING WORKERS TAKEAWAYS IN THIS SALE. SOME POLITICIANS ELECTED TO THE OFFICES OF THE U. S. GOVERNMENT ARE VIOLATING THERE DUTY TO UPHOLD CONSTITUTION, WHEN THEY LET THE FREE TRADERS DOMINATE OUR GOVERNMENT AND THUS VIOLATE OUR CONSTITUTION.

ALSO I AM NOT, OR EVER HAVE BEEN, A MEMBER OF THE UAW. AND I AM FILING THIS PRO SE, I ASK THE COURT TO; PLEASE HOLD ME TO LESS STRIGENT STANDARDS THAN FORMAL PLEADINGS DRAFTED BY LAWYERS.

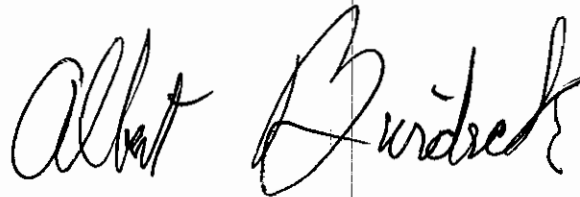
THE VIOLATIONS OF SEPERATION OF POWER ARTICLES I, II AND ARTICLE I SECTION 8, 9, HAVE CLEARLY BEEN VIOLATED, THUS THE TARP BILL MUST BE FOUND UNCONSTITUTIONAL AND ALL TARP MONEY RECALLED AND RETURNED TO THE TREASURY OF THE UNITED STATES.

THIS IS A MUTE ARGUMENT IF TARP IS ENDED AND THE MONEY IS RECALLED AS IT SHOULD BE. CAN THE COURT OR ANY REASONABLE

PERSON GUARANTEE THE "NEW" GM CAN SURVIVE TO PAYOUT ALL OF MY ACCRUED PENSION IN ITS PRESENT STATE, FOR THE REST OF MY LIFE? see EXHIBIT Z 4, Z 5 IF NOT THEN A LUMP SUM PAYMENT IS THE ONLY CURE. see EXHIBIT Z 6 pg1 para 24 starting: "the pbgc is broke". AT BEAR STEARNS THE GOVERNMENT OFFICIALS PULLED OFF A WEEKEND FIRE SALE, THE RESULT, IT HAD TO BE RENEGOTIATED BECAUSE THE BUILDING ALONE, WAS WORTH MORE THAN THE STOCK PRICE THEY WERE OFFERED.. THIS SALE OF "OLD" GM WOULD DENY ME ANY FAIR, NEGOTIATION IN THE LIKLEY, EVENT OF FAILURE OF THE "NEW" GM. See EXHIBIT Z 7 pg2 para5, pg3, THE ASSETS BACKING UP MY PENSION WILL ALREADY BE SOLD. THIS IS UNLAWFUL, A VIOLATION OF AMENDMENT V OF THE CONSTITUTION also see EXHIBIT R, S AFTER WORKING 30 YEARS TO EARN MY PENSION RIGHTS FROM GM THIS IS MY ONLY SOURCE OF INCOME.

I ASK THAT THIS APPEAL BE PASSED DIRECTLY TO THE UNITED STATES COURT OF APPEALS.

RESPECTFULLY

A handwritten signature in black ink, appearing to read "Albert Burdick". The signature is written in a cursive, flowing style with large, connected letters.